

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

UNITED STATES OF AMERICA

§

V.

§

CR. NO. L-22-1439

MARSHALL STEVE MERRIMAN

§

MOTION TO CONTINUANCE THE FINAL PRE-TRIAL CONFERENCE

TO THE HONORABLE JUDGE MARINA GARCIA MARMOLEJO OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS:

NOW COMES the Defendant, MARSHALL STEVE MERRIMAN, by and through his attorney MARJORIE A. MEYERS, Federal Public Defender, by Assistant Federal Public Defender, CARLOS M. ALANIZ, moves this Honorable Court to continue the Final Pre-Trial Conference in this case, based on the following:

**I.**

Mr. Merriman is indicted with knowingly possessing a firearm that had been shipped and transported in interstate commerce, from which the manufacture's serial number had been removed, altered, obliterated, in violation of Title 18, USC, Sections 922 (k) and 924 (a)(1)(B). The Final Pre-Trial Conference is scheduled for August 8, 2023.

**II.**

On December 9, 2022, Defense Counsel filed a motion to dismiss the indictment. As of today's date, a ruling is still pending. On July 7, 2023, Counsel filed an advisory with the Court stating that Mr. Merriman was ready to proceed with a guilty plea, yet he was requesting for the Court to issue a ruling denying the motion to dismiss, as previously discussed during the status

conference on May 18, 2023.

### III. CONFERENCE

On August 3, 2023, Counsel attempted to confer with Assistant United States Attorney, Jose Angel Moreno, but he was not available.

Wherefore, premises considered, Defendant asks the Court to grant this Motion pending a ruling on the Motion to Dismiss the Indictment.

Respectfully submitted,

MARJORIE A. MEYERS  
Federal Public Defender  
Southern District of Texas  
Texas State Bar Number 14-003750  
Southern District of Texas No. 3233

By /s/ Carlos M. Alaniz  
CARLOS M. ALANIZ  
Assistant Federal Public Defender  
Texas State Bar No. 24009081  
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**CERTIFICATE OF SERVICE**

I Carlos M. Alaniz certify that on this the 3<sup>rd</sup> day of August 2023, a copy of the foregoing Motion to Continue was served by Notification of Electronic Filing and was delivered via email to the office of the United States Attorney in Laredo, Texas.

/s/ Carlos M. Alaniz  
Carlos M. Alaniz  
Assistant Federal Public Defender